

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

In re:

RED RIVER TALC LLC,<sup>1</sup>

Former Debtor.

Chapter 11

Case No. 24-90505 (CML)

**RESERVATION OF RIGHTS OF RED RIVER TALC LLC  
WITH RESPECT TO BROWN RUDNICK LLP'S FINAL FEE APPLICATION**

(Related to Docket No. 1444)

Red River Talc LLC ("Red River"), the former debtor in the above-captioned dismissed case, files this reservation of rights with respect to the *Final Fee Application of Brown Rudnick LLP as Co-Counsel to the Official Committee of Talc Claimants for the Period from November 18, 2024 Through and Including March 31, 2025* [Dkt. 1444] (the "Application"), which purports to set May 22, 2025 as the deadline to object to the Application.

Red River disputes that Brown Rudnick LLP ("Brown Rudnick") is entitled to the allowance of any fees and expenses in Red River's chapter 11 case. Moreover, a preliminary review of Brown Rudnick's invoices reveals that Brown Rudnick's fees and expenses are objectionable for numerous reasons. Nonetheless, Red River is not filing a substantive objection to the Application at this time for the reasons set forth below.

First, the Court lacks jurisdiction to consider the Application. As an initial matter, the Court dismissed Red River's chapter 11 case without retaining jurisdiction to consider the Application. In fact, the Court denied a motion to reconsider its dismissal order to permit the

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<sup>1</sup> The last four digits of Red River's taxpayer identification number are 8508. Red River's address is 501 George Street, New Brunswick, New Jersey 08933.

Court to address both the application to retain Brown Rudnick and the allowance of its fees and expenses. In addition, Brown Rudnick (and other professionals) appealed this Court's order dismissing Red River's chapter 11 case [Dkt. 1424] and its order denying the motions for reconsideration [Dkt. 1441] "solely to the extent each of [the orders] precludes the Court from hearing and ruling on (a) the Committee's pending applications to retain and employ Appellants . . . and any fee applications pertaining thereto. . . ." *Notice of Appeal*, Case No. 24-90505 (S.D. Tex. May 9, 2025) [Dkt. 1], at 1. The appeal raises the same issue the Application asks this Court to address.

Second, even if the Court had jurisdiction to adjudicate the Application, which it does not, the Application is procedurally improper. Brown Rudnick's proposed retention by the official committee of talc claimants has never been approved, and was subject to objections. See Dkt. 895. It is simply inappropriate to seek allowance of fees and expenses in the absence of a retention order.

Red River expressly reserves all its rights, claims, defenses and remedies with respect to the Application.

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Dated: May 22, 2025  
Houston, Texas

Respectfully submitted,

/s/ John F. Higgins

John F. Higgins (TX 09597500)  
M. Shane Johnson (TX 24083263)  
Megan Young-John (TX 24088700)  
James A. Keefe (TX 24122842)  
PORTER HEDGES LLP  
1000 Main Street, 36th Floor  
Houston, Texas 77002  
Telephone: (713) 226-6000  
Facsimile: (713) 228-1331  
jhiggins@porterhedges.com  
sjohnson@porterhedges.com  
myoung-john@porterhedges.com  
jkeefe@porterhedges.com

Gregory M. Gordon (TX 08435300)  
Dan B. Prieto (TX 24048744)  
Brad B. Erens (IL 06206864)  
Amanda Rush (TX 24079422)  
JONES DAY  
2727 N. Harwood Street  
Dallas, Texas 75201  
Telephone: (214) 220-3939  
Facsimile: (214) 969-5100  
gmgordon@jonesday.com  
dbprieto@jonesday.com  
bberens@jonesday.com  
asrush@jonesday.com

ATTORNEYS FOR RED RIVER

**Certificate of Service**

I certify that on May 22, 2025, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ John F. Higgins

John F. Higgins